

**Enrolled Minutes of the Thirteenth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Meeting
Monday, June 13, 2016**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, June 13, 2016 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed the agenda of the imminent plenary business meeting of the Town Council.

The study session ended at 7:02 O'clock p.m.

Regular meeting. The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, June 13, 2016 at 7:03 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Town Council President, Bernie Zemen, presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with The Town Council President reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner, and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Esq., Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; Kenneth J. Mika, Building Commissioner; and Cecile Petro, Redevelopment Director, were present.

Also present: Randy Bowman, Assistant Inspector for Electrical Code; Sue Murovic, Advisory Board of Zoning Appeals and Ed Dabrowski IT Director (Contract) were also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of May 23, 2016 were approved by general consent.

Special Orders:

1. **Additional Appropriations Public Hearing:** Proposed Additional Appropriations in Excess of the 2016 Budget for the Gaming Revenue Sharing and the Information Communications Technology (ICT) Funds.

- (a) *Attorney verification of Proofs of Publication:* The TIMES 26 May 2016. The Town Attorney indicated that the proof of publication was in compliance with IC 5-3-1.

- (b) **Public Hearing.** The Town Council President called the public hearing to order. There were no comments written or spoken. The hearing was closed.
- (c) **Action on Appropriation Enactment No. 2016-19:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the *Gaming Revenue Sharing Fund* in the amount of \$508,480.00 and the *Information Community Technology Fund* in the amount of \$197,000.00, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration of Enactment No. 2016-19 on the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2016-19 on the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

Town of Highland
Appropriation Enactment
Enactment No. 2016-19

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the GAMING REVENUE SHARING AND THE INFORMATION COMMUNICATIONS TECHNOLOGY FUNDS, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Gaming Revenue Sharing** and the **Information Communications Technology Funds**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Gaming Revenue Sharing Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GAMING REVENUE SHARING FUND

Acct. No. 091-0000-41004: 3400 Condit Reconstruction Project:	\$ 206,753.00
Acct. No. 091-0000-41002: Johnston St. Reconstruction Project:	\$ 301,745.00
Total 400 Series:	\$ 508,480.00
Fund Total:	\$ 508,480.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Information Communications Technology Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

INFORMATION COMMUNICATIONS TECHNOLOGY FUND

Acct. No. 030-0000-32003: Telephone Services:	\$ 17,000.00
Total 300 Series:	\$ 17,000.00
Acct. No. 030-0000-43009: Copiers/Scanners/Printers:	\$ 180,000.00
Total 400 Series:	\$ 180,000.00
Fund Total:	\$ 197,000.00

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 13th Day of June 2016. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 13th Day of June 2016, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

2. Additional Appropriations Public Hearing: Proposed Additional Appropriations in Excess of the 2016 Budget for the Town Hall and Monuments Department of the Corporation General Fund in the amount of \$5,000 funded entirely by a reduction in the Board of Works and Services Department of the Corporation General Fund.

- (a) *Attorney verification of Proofs of Publication:* The TIMES 26 May 2016. The Town Attorney indicated that the proof of publication complied with I.C. 5-3-1.
- (b) **Public Hearing.** The Town Council President called the public hearing to order. There were no comments written or spoken. The hearing was closed.
- (c) Action on **Appropriation Enactment No. 2016-20:** An Enactment Appropriating Additional Moneys in Excess of the 2016 Budget for the Town Hall and Monuments Department of the Corporation General Fund in the amount of \$5,000 funded entirely by a reduction in the Board of Works and Services Department of the Corporation General Fund.

Councilor Wagner introduced and moved the consideration of Enactment No. 2016-20 on the same meeting of its introduction. Councilor Herak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Wagner moved the passage and adoption of Enactment No. 2016-20 on the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2016-20**

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Town Hall and Monuments Department of the Corporation General Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Town Hall and Monuments Department of the Corporation General Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, as they will be fully supported by corresponding reductions to appropriations in another department of the Corporation General Fund, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That it has been determined that there are certain existing unobligated appropriations of the **Works Board and Services Department of the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may now be reduced in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

Decrease the following accounts:

Board of Works and Services Department

Acct. 001-0011-34005 Excess Liability:	\$ 3,000.00
Acct. 001-0011-34005 Electric Supply:	<u>\$ 2,000.00</u>
<i>Total Series:</i>	\$ 5,000.00

Total Department: \$ 5,000.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Town Hall and Monuments Department of the Corporation General Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

Increase the following account:

Town Hall and Monument Department

Acct. 001-0012-36003 Building Repair & Maint.:	\$ 5,000.00
<i>Total Series:</i>	\$ 5,000.00

Total Department: \$ 5,000.00

Total Departmental Decreases:	\$ 5,000.00
Total Departmental Increases:	\$ 5,000.00

Total Fund Increase: \$ 0.00

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 13th Day of June 2016. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 13th Day of June 2016, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

Staff Reports: The following staff reports were received and filed.

• **Building & Inspection Report for May 2016**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	7	0	7	\$9,420.00	\$851.50
Signs:	0	0	3	\$0.00	\$0.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	2	2	0	\$20,350.00	\$585.50
Residential Remodeling:	70	70	0	\$440,481.00	\$7,912.50
Garages:	2	2	0	\$35,654.00	\$823.50
Sheds:	3	3	0	\$17,592.00	\$492.00
Decks & Porches:	8	8	0	\$23,589.00	\$1,399.00
Fences:	23	22	1	\$51,024.00	\$2,082.50
Swimming Pools:	3	3	0	\$0.00	\$219.00
DrainTile/ Waterproofing:	1	1	0	\$1,200.00	\$47.50
Miscellaneous	4	3	1	\$0.00	\$593.00
TOTAL:	126	114	12	\$768,180.00	\$17,523.50
Electrical Permits	17	16	1		\$1,511.50
Mechanical Permits	17	16	1		\$1,217.00
Plumbing Permits	9	6	3		\$993.20
Water Meters	3	3	0		\$690.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	12	9	3		\$1,683.20

May Code Enforcement:

Investigations: 243
Citations: 3

May Inspections:

Building: 41 Electrical: 36 Plumbing: 09 HVAC: 36
Electrical Exams: 3

• **Fire Department Report for May 2016**

	Month	1st half of year
General Alarms	18	56
Still Alarms	1	24
Paid still alarms	38	144
Total:	57	

• **Workplace Safety Report for May 2016**

There were no incidents to report for May. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2016	Total in 2015	Restricted Days 2016	Lost Workdays This Year (2016)	Restricted Days Last Year (2015)	Lost Workdays Last Year (2015)
Parks	0	1	1	12	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	3	1	2	0	0	0
Street	0	0	2	0	0	0	0
Water & Sewer	0	2	4	0	0	5	0
Maint.	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	0
TOTALS	0	6	9	14	0	5	0

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments (May be made in meeting or at another time)
 (Appointments have been placed on agenda in case there is readiness to act)

Legislative Appointments

1. **Town Board of Metropolitan Police Commissioners.** (1) Appointment. Appointment to be made by the Town Council to fill the vacancy of the Late Commissioner *James Turoci*, for the unexpired term, ending January 1, 2017.

Councilor Kuiper moved the appointment of **Terry Krooswyk**, 9035 Orchard Drive, Highland. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Krooswyk was appointed.

Unfinished Business and General Orders:

1. **Introduced Ordinance No. 1623:** An Ordinance to Amend Chapter 11.10 of the Municipal Code which provides for a Department of Parks and Recreation and its Governance by a Park and Recreation Board, by repealing Sections 11.10.020 and 11.10.220 in their entirety and providing for a amended successor sections, all pursuant to I.C. 36-1-4, IC 36-1-5 and IC 36-10-3 et sequitur. *Councilor Wagner introduced and filed Ordinance No. 1623, at the Town Council meeting of May 23, 2016. There was no further action.*

Councilor Wagner moved the passage and adoption of Ordinance No. 1623. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Herak, Wagner, and Zemen voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. The ordinance was adopted.

ORDINANCE No. 1623
 of the
TOWN of HIGHLAND, INDIANA

An Ordinance to Amend Chapter 11.10 of the Municipal Code which provides for a Department of Parks and Recreation and its Governance by a Park and Recreation Board, by repealing Sections 11.10.020 and 11.10.220 in their entirety and providing for a amended successor sections, all pursuant to I.C. 36-1-4, IC 36-1-5 and IC 36-10-3 et sequitur.

Whereas, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation

of government as to local affairs;

Whereas, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

Whereas, The Town of Highland, is a Municipal Government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5;

Whereas, The Town of Highland, is a municipality located in Lake County, which operates a Parks and Recreation Department, which has been continuously governed by the provisions of IC 36-10-3 et seq. at least since 1969;

Whereas, The Town of Highland, through its Town Council now desires to still further perfect its own organization as well as that of the Parks and Recreation Department and make certain enhancements to the ordinance establishing and governing the Department of Parks and Recreation, pursuant to IC 36-10-3 et seq.;

Now, Therefore, Be it hereby ordained by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 11.10.020 of the Highland Municipal Code is hereby repealed in its entirety and of no further force or effect;

Section 2. That the Highland Municipal Code, be hereby amended by creating a successor section regarding Parks and Recreation, to be styled as Section 11.10.020 which shall read as follows:

11.10.020 INTERPRETATION and SPECIAL EXCEPTIONS.

(A) Any requirement or provision of this chapter relating to any act shall extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any unemancipated minor the doing of any willful or malicious act prohibited by the provisions hereof by the parent or legal guardian of such minor.

(B) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the department in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the board.

(C) *Special Exceptions.* Any act otherwise prohibited by this chapter, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed within custodial quarters within the park or is performed under, by virtue of, or strictly in compliance with the provisions of a permit issued by the board and approved by the Town Council 30 days prior to the event. Any such permit issued hereunder by the board shall not be effective and valid unless said permit has been approved by the Town Council. Notwithstanding anything contained herein to the contrary, the board shall not issue any permit for the drinking, sale, possession or consumption of alcoholic beverages within the parks or Sharp Athletic Complex, **subject to the exception in Section 11.10.220(B).**

(D) **Notwithstanding, Section 11.10.020 (C), the Park Board may issue a permit for an activity involving the sale and consumption of alcoholic beverages to the Highland Community Events Commission, for an event to be conducted at the Main Square Park, from October 21 through and including October 23 2016, provided there is no prohibition in Section 11.10.220. This section expires on October 24, 2016 and will be of no further force or effect from that date forward.**

Section 3. That Section 11.10.220 of the Highland Municipal Code is hereby repealed in its entirety and of no further force or effect;

Section 4. That the Highland Municipal Code, be hereby amended by creating a successor section regarding Parks and Recreation, to be styled as Section 11.10.220, which shall read as follows:

Section 11.10.220 Alcohol and Drugs.

(A) No person shall drink, sell, possess, make a gift or offer for sale any alcoholic beverage or drugs within the parks nor shall any person within the parks use, administer, receive, offer for sale, possess, or make available to himself, or to any other person or animal, any alcoholic beverage or drugs.

(B) **Notwithstanding Section 11.10.220(A),** Alcoholic beverages may be sold, dispensed, and consumed in the Lincoln Community Center solely in conjunction with a catered event, banquet, permitted event or special event conducted in and confined to a specific location designated for assemblies and rentals. This authorization is subject to provisions of IC 7.1-1 et seq and 905 IAC 1 et seq. No person shall use, administer, receive, offer for sale, possess or make available to himself, or to any person or animal any drugs. **The authority conferred under the provisions set forth in this subdivision (B), shall expire on December 31, 2015.**

(C) **Notwithstanding Section 11.10.220(A),** alcoholic beverages may be sold, dispensed, and consumed in the Main Square Park solely in conjunction with a single special event conducted by the Highland Community Events Council, provided a permit has been issued by the Park and Recreation Board,

under Section 11.10.020 (D). This section expires on October 24, 2016 and will be of no further force or effect from that date forward.

~~(D) Effective January 1, 2016. No person shall drink, sell, possess, make a gift or offer for sale any alcoholic beverage or drugs within Lincoln Community Center, nor shall any person within Lincoln Community Center use, administer, receive, offer for sale, possess, or make available to himself, or to any other person or animal, any alcoholic beverage or drugs.~~

Section 5. That the provisions of any existing ordinances, which are in conflict with the provisions set forth in this ordinance are of no further force or effect and are hereby repealed;

Section 6. That the provisions set forth in this ordinance shall become and remain in full force and effect thereafter, immediately following the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 23rd day of May 2016. Consideration on same day or at same meeting of introduction was not considered pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED/REJECTED this 13th Day of June 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 1-1-4-1(5);IC 33-16-4-1; IC 36-5-6-5)

- 2. Proposed Ordinance No. 1618.1578-D:** An Ordinance To Further Amend Ordinance No. 1578, An Ordinance To Establish The Wage And Salary Rates Of The Elected Officers, The Non-Elected Officers, And The Employees Of The Town Of Highland, Indiana, Particularly Regarding Change To The Staffing Authority Of The Metropolitan Police Department And To Modify The Pension Basis For Retirees And Survivors Of The 1925 Pension Plan And To Increase The Pension Basis For 1977 Pension Plan Members Who Are Not Yet Retired.

Councilor Herak introduced and moved the consideration of Ordinance No. 1618.1578-D on the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1618.1578-D on the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1618.1578-D
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to FURTHER AMEND ORDINANCE No. 1578, AN ORDINANCE TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA, PARTICULARLY REGARDING CHANGE TO THE STAFFING AUTHORITY of the METROPOLITAN POLICE DEPARTMENT AND TO MODIFY THE PENSION BASIS for RETIREES AND SURVIVORS of the 1925 PENSION PLAN and to INCREASE THE PENSION BASIS for 1977 PENSION PLAN MEMBERS WHO ARE NOT YET RETIRED.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the

level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year; and

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2015 and thereafter;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 10 (E) of Ordinance No. 1578 be amended by repealing Section 10(E) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 10 (E) and read as follows:

Section 10. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

(E) Other Police Officers and Assignments.

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.
- (3) There is established a pay grade styled as Police Officer 1 (Special). An officer possessing the rank of Police Officer First (Class), that possesses at least thirty four years of service as a police officer, the last twenty-five of which have been served consecutively and successfully with the Highland Metropolitan Police Department, shall be paid the identified biweekly salary as base pay. For the purposes of establishing pension benefits under IC 36-8-1-11, IC 36-8-6-9, IC 36-8-6-9.6, ~~IC 36-8-8-8~~, **IC 36-8-8.5** and IC 36-8-8-11, **employee contributions under IC 36-8-6-4(3) and IC 36-8-8-8**, or employer contributions under IC 36-8-8-6, the salary of the Patrol Officer 1 (Special) plus the longevity pay for twenty years shall be used.

	Starting Rate	Incumbent Rate
(4) Effective January 4, 2015 biweekly:		
Police Officer 1 (Special)	\$ 2,420.22	\$ 2,420.22
Police Officer 1	\$ 2,205.37	\$ 2,205.37
Police Officer 2	\$ 1,945.08	\$ 1,945.08
Police Officer 3	\$ 1,821.33	\$ 1,821.33
Police Officer 4 (no LEA certification)	\$ 1,649.50	\$ 1,649.50

(5) Effective June 21, 2015 biweekly:		
Police Officer 1 (Special)	\$ 2,474.67	\$ 2,474.67
Police Officer 1	\$ 2,254.99	\$ 2,254.99
Police Officer 2	\$ 1,988.85	\$ 1,988.85
Police Officer 3	\$ 1,862.31	\$ 1,862.31
Police Officer 4 (no LEA certification)	\$ 1,686.92	\$ 1,686.92

(6) Effective July 3, 2016 biweekly:		
Police Officer 1 (Special)	\$ 2,590.05	\$ 2,590.05

(6)(7) The following represent **assignments** in the Metropolitan Police Department for which the following salaries are authorized. Persons so assigned shall be paid the greater of the assigned person's pay attached to his or her actual service rank or grade or the pay associated with the listed assignments depicted as follows:

Effective biweekly as follows:	January 5 2015:	June 21, 2015:
Assistant Chief	\$ 2,786.66	\$ 2,849.36
Division Commander (2)	\$ 2,584.64	\$ 2,642.80
Deputy Commander (1)	\$ 2,516.05	\$ 2,572.66

(7) (8) The following rank has been deemed a **trace** rank. Only officers employed in good standing with the Metropolitan Police Department **on or before April 12, 2001** shall be eligible to elevation to the trace rank of Lance Corporal. This trace rank shall be conferred on all Patrol Officers First Class, who meet the date eligibility indicated, who have successfully completed ten (10) years of continuous service with the Highland Metropolitan Police Department and upon approval of the Town Board of Metropolitan Police Commissioners. Officers currently holding such rank will continue to hold such rank until their **promotion or** separation from service with the Metropolitan Police Department at the level of pay set forth in this ordinance. Having separated, an officer having once been eligible to hold the trace rank or having the trace rank at the time of separation shall not be eligible hold such rank if officer is later re-hired unless ordered by a court.

Effective biweekly as follows:	January 5 2015:	June 21, 2015:
Lance Corporal	\$ 2,258.63	\$ 2,309.45

Section 2. That Section 10 (F)(5) of Ordinance No. 1578 be amended by repealing Section 10(F)(5) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 10 (F)(5) and read as follows:

Section 10. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

	Starting Rate	Incumbent Rate
(5) Effective June 21, 2015 (hourly):		
*Lead Support Services Clerk (1)	\$15.32	\$16.69
*Lead Support Services Training Coordinator (1)	\$15.32	\$16.69
* Support Services Clerk (1)	\$14.32	\$15.66
* Support Services Clerk (part-time)	\$14.32	\$15.66
	Starting Rate	Incumbent Rate
(6) Effective July 3, 2016 (hourly):		
*Lead Support Services Clerk (1)	\$15.32	\$16.69
*Lead Support Services Training Coordinator (1)	\$15.32	\$16.69
* Support Services Clerk (2)	\$14.32	\$15.66
* Support Services Clerk (part-time)	\$14.32	\$15.66

For initial appointments, **made before December 31, 2015**, the appointing authority may start employees at the incumbent rate. All subsequent appointments shall be subject to the starting rate.

Systems Administrator/ IT & Training Officer (1)	\$1,615.38 – 2,230.77 bi-weekly	
Animal Warden (part-time)	\$ 8.00 hr. -	\$ 15.00 hr.
Crossing Guard (part-time)	\$9.66 hr. -	\$10.76 hr.
Sub Crossing Guard (part-time)	\$9.66 hr. -	\$10.76 hr.
Systems Administrator/ IT & Training Officer (interim)	\$28.00 hr.	\$28.00 hr.
Metropolitan Police Chaplain (4)	no pay	

Matron or Clerk Duty (call-out) hourly rate - 2-hour minimum
Off-Duty Court Time (2 hour minimum) hourly rate

(5) Effective January 4, 2015:

Radio Operator (X)	\$14.21	\$15.73	\$19.50 hr.
Radio Operator (part-time)	\$14.21	\$15.73	\$19.50 hr.

Public Safety Clerk-Radio Operator (1)

~~This full-time position is performed by one (1) person, but will involve the tasks associated with the job descriptions of Records Clerk and Radio Operator. The rate of pay will be based upon the tasks being performed. When performing tasks associated with Records clerk, the rate of pay will be that as established by the wage and salary ordinance for a records clerk. When performing tasks associated with Radio operator, the rate of pay will be that as established by the wage and salary ordinance for a radio operator.~~

Section 3. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 4. (A) That an emergency exists for the immediate taking affect of this Ordinance which, shall become effective and shall remain in full force and effect from and *after the date of its passage and adoption* pursuant to any constraints currently in force in Ordinance No. 1578 as amended, and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly conferred in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 13th day of June 2016. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of June 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. Proposed Ordinance No. 1625: An Ordinance Of The Town Council Of The Town Of Highland, Indiana, Approving The Issuance Of Bonds By The Town Of Highland Sanitary District, And Addressing Other Matters Related Thereto.

Councilor Herak introduced and moved the consideration of Ordinance No. 1625 on the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1625 on the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE NO. 1625
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA, APPROVING THE ISSUANCE OF BONDS BY THE TOWN OF HIGHLAND SANITARY DISTRICT, AND ADDRESSING OTHER MATTERS RELATED THERETO.

WHEREAS, The Board of Sanitary Commissioners (the "Board") of the Sanitary District of the Town of Highland, Indiana (the "District") proposes to issue one or more series of bonds pursuant to IC 36-9-25 (the "Bonds"), in order to finance the acquisition and/or construction of all or a portion of various sanitary district sewage works improvements and equipment in the District together with any costs related thereto, including without limitation the following: (1) acquisition of a jet truck and road sweeper; (2) 41st Street force main replacement and variable frequency drive project; (3) Johnston Street area sanitary sewer replacement and Grand Boulevard sewer separation project; (4) Cured in place pipe sanitary sewer lining and manholes within Pettit Park Basin project; (5) Martha Street stormwater improvement project; (6) Cured in place pipe 5th Street interceptor sewer lining project; (7) sanitary sewer repair, rehabilitation, and/or replacement - structural issues; (8) sanitary sewer repair, rehabilitation, and/or replacement - inflow/infiltration issues; and to pay the expenses incurred in connection with or on account of the issuance of the Bonds (collectively, the "Projects"); and

WHEREAS, The Town Council of the Town of Highland, Indiana (the "Town Council"), as the fiscal body of the Town of Highland, Indiana, now desires to approve the issuance of the Bonds,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA, as follows:

Section 1. Approval of Bonds. The Town Council hereby approves the issuance by the District of not to exceed \$7,500,000 in aggregate principal amount of its Bonds to provide for the financing of the Projects and related costs. The interest rate on the Bonds to be issued by the District shall not exceed five percent (5.0%) per annum. A portion of the Bond proceeds may be applied to pay capitalized interest on the Bonds if determined to be necessary or appropriate by the President of the Board with the advice the Board's financial advisor. The final maturity date of the Bonds shall not be later than twenty (20) years after their date of issuance. The Bonds may be subject to redemption prior to maturity on terms determined by the Board prior to the sale of the Bonds, with the advice of the Board's financial advisor. The Bonds shall be payable from a special tax levy of the District;

Section 2. Authorization of Other Actions. The President of the Town Council, any member of the Town Council, and the Clerk-Treasurer of the Town, and any other officer, employee or agent of the Town, is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Ordinance, such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Town Council as required by law.

Introduced and Filed on the 13th day of June 2016. Consideration on same day or at same meeting of introduction attained 5 votes in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th day of June 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, **IAMC/MMC/CPFA/CPFIM/CMO**
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Proposed Ordinance No. 1626:** An Ordinance To Amend Section 5.05.050 of the Highland Municipal Code Regarding Business License Fees, All Pursuant To IC 36-1-5 Et Seq.

Councilor Vassar introduced and moved the consideration of Ordinance No. 1626 on the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Vassar moved the passage and adoption of Ordinance No. 1626 on the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call

vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1626
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE To AMEND SECTION 5.05.050 OF THE HIGHLAND MUNICIPAL CODE REGARDING BUSINESS LICENSE FEES, ALL PURSUANT TO IC 36-1-5 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications desirable to further improve and perfect the Code; and

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt a technical and substantive modification to Section 5.05.050 in order to further improve and perfect the Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 5.05.050 subdivisions (A), (B) and (C) of the Highland Municipal Code are hereby repealed in their entirety and amended by successor subdivisions, which shall be identified and read as follows:

5.05.050 Business license fee and registration fee.

(A) Any person maintaining, operating or conducting any business, business activity, occupation or commercial establishment, or doing business, or engaging in any service or occupation within the town, **including but not limited to acting as lessor for residential or commercial properties, or renting residential properties month to month**, shall pay an annual fee prescribed by this section.

(B) In the event there is no specific fee set for the engagement of a particular business or service, then an annual license fee for business or service not otherwise classified shall be **as follows:**

(1) ~~\$25.00.~~ **\$30.00 if paid before March 1st of the calendar year.**

(2) **\$50.00** if ~~If~~ paid after February 28th of the calendar year, ~~the annual license fee shall be \$50.00.~~

(3) **If the business is being established for the first time, the license fee shall be that prescribed for payments made before March 1st.**

(C) Exempt businesses as described in HMC 5.05.080 shall pay a registration fee of ~~\$25.00~~ **\$30.00 if paid before March 1st of the calendar year.** If paid after February 28th of the calendar year, the annual license ~~registration~~ fee shall be \$50.00.

Section 2. That this ordinance shall be effective from and after its passage and adoption, but not sooner than July 1, 2016, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 13th day of June 2016. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of June 2016, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

5. **Works Board Order No. 2016-21:** An Order Authorizing, Approving, Accepting and Concurring in Utility Easement Agreements with the School Town of Highland, Indiana as Grantor and the Town of Highland as Grantee.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2016-21. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

The Town of Highland
ORDER of the WORKS BOARD NO. 2016-21

AN ORDER AUTHORIZING, APPROVING, ACCEPTING AND CONCURRING IN UTILITY EASEMENT AGREEMENTS WITH THE SCHOOL TOWN OF HIGHLAND, INDIANA AS GRANTOR AND THE TOWN OF HIGHLAND AS GRANTEE

Whereas, The Water Works District of Highland (District), through its Board of Directors, has previously determined the need to replace the existing water main in the 2800-2900 blocks of 41st Street in order to improve water flow and water quality and has determined implement the **41st Street Water Main Improvements and Extension Project**;

Whereas, The Project requires the acquisition of public easements upon property owned by School Town of Highland, Indiana as Grantor, for the purpose of constructing the project and installing water mains, valves, and other appurtenances; and

Whereas, The Grantor wishes to grant to the Grantee, the Town of Highland, governed by and through its Town Council as the Works Board of the Town, a **utility easement** for the purpose of installing a the water main and related improvements herein referenced, which is legally described in companion easement agreements;

Whereas, The Town of Highland Waterworks District, through its Board of Water Works Directors, has determined that the utility easements and the associated agreement for this project and all other appurtenances in, under, over and across the above described real estate would be of great public benefit and utility;

Whereas, The Town of Highland, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantee), has determined that the utility easements and the associated agreement for this project and all other appurtenances in, under, over and across the above described real estate would be of great public benefit and utility;

Whereas, The Town of Highland, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantee), now wishes to finally authorize, adopt and approve the utility easement agreement between the Town of Highland as Grantee and t School Town of Highland, Indiana as Grantor;

Now, Therefore, Be It hereby Ordered by the Highland Town Council, acting as the Works Board of the Municipality as follows:

Section 1. That the Water Main Easement Agreement between the **School Town of Highland, Indiana (Grantor)** and the Town of Highland (Grantee) is hereby authorized, approved, accepted and ratified in each and every respect;

Section 2. That Town of Highland, as Grantee, accepts from the School Town of Highland, as Grantor the following:

(A) Town of Highland accepts its grant of a perpetual easement for the installation, construction and utilization of water mains and water lines, together with any and all necessary manholes, hydrants, service taps, auxiliary valves, connections, appliances, and all other appurtenances and structures (the "Line"). Grantee shall also have a continuing easement in, under, over, above and across the easement area to inspect, maintain and/or repair the Line installed in the easement area, together with the right of ingress and egress to and from the easement parcel over adjoining portions of the Grantor parcel;

(B) Town of Highland accepts as Grantee, an easement conveyed, granted, and assigned by agreement from the School Town of Highland, Indiana, as Grantor, an easement for water mains, water lines, fire hydrants, service taps, auxiliary values, and all other appurtenances, in, under, over and across the following legally described real estate, to-wit:

The North 20 feet of the South 50 feet of said Northeast Quarter of Section 28 lying East of the East Right of Way Line of Erie Street and extending West from said Right of Way Line 950 feet.

Section 3. That the agreement adopted by this order is incorporated herein as an exhibit to this order;

Section 4. That the Town Council President and the Clerk-Treasurer are hereby authorized and directed to evidence this acceptance, approval and adoption of the easements and agreement by affixing their signatures to the agreement.

Be it So Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of June 2016 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

EXHIBIT

EASEMENT AGREEMENT

This EASEMENT AGREEMENT is made and entered into this 5th day of June, 2016, by and between **SCHOOL TOWN OF HIGHLAND** (hereinafter sometimes referred to as "Grantor"), and the **TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter sometimes referred to as "Grantee").

WITNESSETH THAT:

WHEREAS, Grantor owns and has title to certain real estate located in Lake County, Indiana, which is legally described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

WHEREAS, Grantor wishes to grant to Grantee by and through its Town Council a utility easement for water mains, water lines, fire hydrants, service taps, auxiliary valves, and all other appurtenances, on the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is acknowledged, it is mutually agreed by and between the parties hereto as follows:

1. **EASEMENT**. Grantor does hereby grant, assign, convey and set over to the Grantee an easement for water mains, water lines, fire hydrants, service taps, auxiliary valves, and all other appurtenances, in, under, over and across the following legally described real estate, to-wit:

The North 20 feet of the South 50 feet of said Northeast Quarter of Section 28 lying East of the East Right of Way Line of Erie Street and extending West from said Right of Way Line 950 feet.

2. **USES**. Grantee is granted a perpetual easement for the installation, construction and utilization of water mains and water lines, together with any and all necessary manholes, hydrants, service taps, auxiliary valves, connections, appliances, and all other appurtenances and structures (the "Line"). Grantee shall also have a continuing easement in, under, over, above and across the easement area to inspect, maintain and/or repair the Line installed in the easement area, together with the right of ingress and egress to and from the easement parcel over adjoining portions of the Grantor parcel.

3. **NON-EXCLUSIVE EASEMENT**. This easement granted to the grantee herein is not exclusive; Grantor reserves the right to use the easement for its purposes and/or to grant additional easements over the same property to other public utilities or private parties, provided said purposes and grants do not interfere with the rights herein granted to the Grantee.

4. **TERM**. Grantee shall have and hold said easement for utility purposes in perpetuity so long as said easement is used for the purposes set forth herein.

5. **REPAIR AND MAINTENANCE**. Grantee shall be solely responsible for all maintenance, repair and replacement of the line located in, on, under, over, across, and through the easement area.

6. **INDEMNIFICATION.** Grantee agrees to indemnify and save the Grantor harmless from and against any and all damages, losses, claims, demands, or costs proximately caused by the default, culpability, or negligence of said Grantee in the use, maintenance, operation, repair, renewal, or removal of such water service.

7. **COVENANT RUNNING WITH THE LAND.** The easement hereby granted, the restrictions herein imposed, and the agreements herein contained shall be an easement, restriction and covenant running with the land and shall inure to the benefit, and be binding upon, the parties hereto and their respective heirs, successors, assigns, and transferees, including but not in limitation, to all subsequent owners of said real estate and all persons claiming under them.

SIGNATURE PAGE ON FILE

EXHIBIT "A"
LEGAL DESCRIPTION OF GRANTOR'S REAL ESTATE

All that certain piece or parcel of land situated in the Town of Highland, County of Lake, State of Indiana, being in the Northeast Quarter (NE 1/4) of Section Twenty-Eight (28), Township Thirty-Six (36) North, Range Nine (9) West of the Second Principal Meridian, and being bounded and described as follows: Beginning at the Southwest corner of land conveyed by deed dated August 25, 1953, from Industrial Center Land Company to Board of Recreation of the Town of Highland, said corner being in the Easterly line of Erie Street (60 feet wide) distant 1484.40 feet Southerly, as measured along said Easterly line of Erie Street, from its intersection with the Southerly line of Lincoln Avenue (60 feet wide); thence East, along the Southerly line of the aforesaid Board of Recreation Tract, 1294.56 feet to the Southeasterly corner thereof, which point lies on the Southwesterly right of way line of the Chesapeake and Ohio Railway Company; thence South 36 degrees 56 minutes East, along said Southwesterly Right of Way line, 1452.22 feet to the South line of the Northeast Quarter said Section 28; thence Westerly, along the South line of the Northeast Quarter of said Section 28, a distance of 2174.18 feet to the Easterly line of Erie Street; thence Northerly, along the Easterly line of Erie Street, a distance of 1131.77 feet to the point of beginning, all in the Town of Highland, Lake County, Indiana, subject to the South 30 feet thereof being taken for Right of Way of 41st Avenue and excepting from the above the following described parcel: That part of the Northeast Quarter of Section 28, Township 36 North, Range 9 West of the Second Principal Meridian, described as follows: Beginning at a point 240.0 feet East of the East line of Erie Street (60 feet wide) and 1484.40 feet South of the South line of Lincoln Avenue (60 feet wide), thence East 475.0 feet, thence South 91.77 feet, thence West 85.0 feet, thence South 440.0 feet, thence East 70.0 feet, thence South 215.0 feet, thence East 120.0 feet, thence South 45.0 feet, thence East 115.0 feet, thence South 245.0 feet, thence West 495.0 feet, thence South 40.0 feet, thence West 290.0 feet, thence North 350.0 feet, thence West 130.0 feet, thence North 220.0 feet, thence East 145.0 feet, thence Northeasterly, making an angle of 135 degrees 00 minutes 00 seconds with the last described line, 106.07 feet, thence North 431.77 feet, to the point of beginning, all in the Town of Highland, Lake County, Indiana.

6. **Works Board Order No. 2016-22:** An Order of the Works Board Authorizing and Approving an Agreement with Johnny on the Spot to Provide Non-Hazardous Waste Services for the Highland Independence Day Festivals for 2016 and 2017 with an Option for 2018.

Councilor Herak moved the passage and adoption of Works Board Order No. 2016-22. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD 2016-22**

AN ORDER OF THE WORKS BOARD AUTHORIZING AND APPROVING AN AGREEMENT WITH JOHNNY ON THE SPOT TO PROVIDE NON-HAZARDOUS WASTE SERVICES FOR THE HIGHLAND INDEPENDENCE DAY FESTIVALS FOR 2016 AND 2017 WITH AN OPTION FOR 2018.

Whereas, The Town of Highland, Community Events Commission, as part of its public duties, has responsibility for the planning of special events in the Town of Highland, particularly the annual festival honoring Independence Day, conducted at Main Square Park; and

Whereas, Johnny on the Spot, has provided a proposal to provide non-hazardous waste collection services including providing portable lavatories; and

Whereas, The Clerk-Treasurer, pursuant to Section 3.05.050(D)(9) of the HMC, serves as the Purchasing Agent for any department or office for which an agent is not otherwise expressly provided, and for all executive departments of the municipality, which would include the Community Events Commission; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) of the HMC serves as purchasing agency for the Community Events Commission; and

Whereas, The service agreement exceeds one year in duration and, pursuant to Section 3.05.040 (C) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The purchase will be supported by the Special Events Non Reverting fund and there are sufficient appropriations in order to support the work; and

Whereas, The Town Council now desires to authorize the Clerk-Treasurer to execute the agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the proposed non hazardous waste and portable lavatory agreement from Johnny on the Spot, attached hereto and made a part of this Order, is approved in each and every respect, pursuant to the terms contained therein, including a term of two years, 2016 and 2017 and option for 2017;

Section 2. That the proposed non hazardous waste and portable lavatory agreement from Johnny on the Spot, attached hereto and made a part of this Order, is further approved for an optional year of 2016 if the Community Events Commission so elects and the Clerk-Treasurer then signs a letter to evidence the option approval;

Section 3. That the Works Board for the Town of Highland believes that Johnny on the Spot has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

Section 4. That the terms and charges under the agreement in the amount of Two thousand, thirty-nine Dollars and 40/100 cents (\$2,039.20) for the services provided in 2016 and in 2017, representing a reduction of twenty cents (20¢) over the prior year; and in the amount of Two thousand, one hundred forty-one dollars and no cents (\$2,141) in the year 2018, representing a five percent increase over the prior year, if the Community Events Commission so elects, are found to be reasonable and fair;

Section 5. That the Clerk-Treasurer is hereby authorized to issue a purchase order to Johnny on the Spot and to execute all documents necessary to implement the agreement;

Section 6. That the Municipal Fiscal Officer is hereby authorized to expend Special Event Non Reverting funds in order to support the services approved by this order.

Be it So Ordered.

DULY, PASSED AND ADOPTED by the Board of Works of the Town of Highland, Lake County, Indiana this 13th day of June 2016 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

7. **Works Board Order No. 2016-23:** An Order Accepting and Approving a Quote from Korellis Roofing to Remove and Replace the Roof (Shingles) on the Salt Dome at the Highland Public Works Facility for the Base Bid amount of \$38,005.00

Councilor Wagner moved the passage and adoption of Works Board Order No. 2016-23. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS**

ORDER OF THE WORKS BOARD 2016-23

AN ORDER ACCEPTING AND APPROVING A QUOTE FROM KORELLIS ROOFING TO REMOVE AND REPLACE THE ROOF (SHINGLES) ON THE SALT DOME AT THE HIGHLAND PUBLIC WORKS FACILITY FOR THE BASE BID AMOUNT OF \$38,005.00

Whereas, The Department of Public Works owns and maintains a salt storage structure (Salt Dome) at the Highland Public Works Facility that protects road salt from the elements of weather and prevents salt runoff and the environmental hazards associated therewith; and

Whereas, This past winter/spring, high winds caused damage to the shingle roofing system, which compromises the protective features of the structure; and

Whereas, The Public Works Department (Agency) has determined that repairs to the structure are necessary and sought quotes from persons qualified to complete the work of removing and replacing the shingle roofing system: and

Whereas, The Facility Supervisor invited quotes pursuant to Section 3.15.180 and Section 3.05.060(F)(1) of the Highland Municipal Code from three (3) persons known to deal in the lines or classes of supplies or work to be purchased; and

Whereas, the following quotes were received:

Bidder	Quote
Korellis Roofing	\$ 38,005.00
Hobson and Sons Remodeling, Inc.	\$ 62,000.00
Kusiak Construction	No Response

Whereas, The staff has reviewed the quotes and determined that the quote of Korellis Roofing in the amount of Thirty-eight Thousand Five Dollars and no cents (\$38,005.00) to be the lowest responsive and responsible quote; and

Whereas, The Public Works Department had filed a damage claim with Chubb Group of Insurance Companies for damages associated with the high wind event and has been advised that the estimate from **Korellis Roofing** has been approved in the amount of \$38,005.00 less the deductible of \$10,000.00 for a total insurance settlement of \$28,005.00; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council, now desires to accept the recommendation of the Public Works staff and award a contract to **Korellis Roofing** for the removing and replacing the shingle roof on the Salt Dome at the Highland Public Works (agency) Facility,

Now, Therefore, Be It hereby Ordered, by the Town Council of the Highland, Indiana acting as the Works Board of the municipality as follows:

Section 1. That the quote of **Korellis Roofing** in the amount of Thirty-eight Thousand Five Dollars and no cents (\$38,005.00) for the Salt Dome Roof Removal and Replacement is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the Public Works Director is hereby authorized to execute the agreement and all documents necessary to implement the project.

Be it So Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland acting as the Board of Works of the Town of Highland, Lake County, Indiana this 13th day of June 2016 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFA/CPFIM
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

8. **Modification of Premium Tiers for the Current Group Dental Plan.** Current provider, United Health Care (UHC) current rates as approved had two tier: (1) Employee only at \$37.04 and (2) Employee and dependents at \$107.53 per month; Owing to a request from some employees considering their retirement, the following tiers are proposed to be effective July 1. There should be no overall cost change owing to the more discretely defined tiers.
- (1) Employee only at \$37.04 per month
 - (2) Employee and Spouse at \$76.46 per month
 - (3) Employee and children at \$73.49 per month
 - (4) Employee and Family at \$125.66 per month

Councilor Kuiper moved to approve the modification as indicated. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The four tiers were adopted.

Comments or Remarks from the Town Council: (For the Good of the Order)

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak acknowledged the Public Works Director, who reported on a recent conference call with representatives from the US EPA, and the Hammond and the Highland Sanitary Districts.

- **Councilor Dan Vassar:** *• Liaison to the Park and Recreation Board.*

Councilor Vassar expressed appreciation for the Community Events Council and its work on the Memorial Day ceremony.

Councilor Vassar also congratulated Terry Krooswyk on his appointment.

- **Councilor Steve Wagner:** *• Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner also congratulated Terry Krooswyk on his appointment to the Town Board of Metropolitan Police Commissioners.

Councilor Wagner also congratulated the workforce on the injury and incident free experience for the Month of May.

- **Councilor Konnie Kuiper:** *• Town Board of Metropolitan Police Commissioners, Liaison. • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief, who encouraged persons to exercise caution with the use illegal fireworks used off private property.

Councilor Kuiper acknowledged the Police Chief, who reported on the impact of the recently adopted parking restrictions for the neighborhood near the Hampton in Highland residential complex. There was also a colloquy regarding the possible purchase of a computer-assisted license plate reading device that would instantly review the plate against a vast database to check the plate's disposition.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison • IT Liaison • Redevelopment Commission Liaison.*

The Town Council President acknowledged the Building Commissioner who offered a brief survey of matters before the Plan Commission.

The Building Commissioner also reported on the status of a stalled acquisition of the site of the former Kiddie Shop, located at 2706 Highway Avenue, Highland, owing to discovery of the building's foundation being supported by railroad ties rather than the conventional foundation footings.

The Town Council President acknowledged the Redevelopment Director who offered an overview regarding a Car Cruise event sponsored by the Main Street Bureau, noting there were 175 cars registered for display in the downtown. The Redevelopment Director thanked the persons who assisted with the event, which took place on June 5.

Comments from Visitors or Residents:

1. Carol Kerr, 2185 Timberidge Lane, Highland, noting the increased train traffic on the railroad tracks in town, she inquired regarding the ability of Fire fighters to respond timely.

The Fire Chief with leave from the Town Council, responded assuring that the department had alternative routes identified in the event of a training crossing being obstructed.

Ms. Kerr further expressed concerns regarding brownouts experienced by her residence association and the difficulty in contacting a responsive person at NIRPC.

2. Ms. Lydia Lopez, 9007 O'Day Drive, Highland, inquired whether there could be a rotation in the schedule observed by the leaf collection service. She noted that her neighborhood is always a Friday, and if the leaves are raked and readied for capture on the weekend, there is a long time before the leaves are collected if the day is Friday. She also noted that in some cases winds will scatter the leaves in the interim.
3. John Beckman, the Griffith Chapter of the Izaak Walton League, presented a copy of the *Upland Watershed Storage Resolution* adopted by the Izaak Walton League and other bodies or agencies. Mr. Beckman, asked if the Town Council would consider approving the resolution. He further noted that the Little Calumet River Basin Development Commission was empowered to perform more watershed management and what he characterized as the "success" of the flood control project.

With leave from the Town Council, Councilor Kuiper thanked the Public Works Director for the ongoing paving of the streets.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period May 24, 2016 through June 13, 2016. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$280,508.19; Motor Vehicle Highway and Street (MVH) Fund, \$27,726.35; Law Enforcement Continuing Education, Training, and Supply Fund, \$897.94; Flexible Spending Account Agency Fund, \$1,395.34; Insurance Premium Agency Fund, \$143,135.93; Gasoline Agency Payment Fund, \$1,428.00; Information and Communications Technology Fund, \$16,223.03; 1925 Police Pension Fund,

\$62,097.90; **Municipal Cumulative Capital Development Fund**, \$473.05; **General Improvement Fund**, \$24.00; **Traffic Violations and Law Enforcement Agency Fund**, \$3,227.50; **Total: \$537,137.23.**

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, June 13, 2016 was adjourned at 8:00 O'clock p.m. There was no study session following this meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer